

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

STATE OF INDIANA, et al.,)	
)	
<i>Plaintiffs,</i>)	Case No. 1:23-cv-00106-DMT-CRH
)	
v.)	UNOPPOSED MOTION FOR
ALEJANDRO MAYORKAS, et al.,)	EXTENSION OF TIME TO FILE
)	RESPONSIVE SUPPLEMENTAL
<i>Defendants.</i>)	BRIEF IN SUPPORT OF MOTION
)	TO DISMISS
)	

Defendants, through counsel, move unopposed to extend the deadline to file their responsive supplemental brief in support of their Motion to Dismiss by 8 days, to **November 8, 2024**.

In an order dated September 17, 2024, the Court ordered supplemental briefing with respect to Defendants' pending Motion to Dismiss. *See* ECF No. 83. The Court ordered the parties to address certain issues concerning standing and provided that Plaintiffs' additional brief would be due on October 17, 2024, and Defendants' response would be due October 31, 2024. *See id.* Plaintiffs filed their brief on October 17, 2024, and Defendants now seek an 8-day extension of the October 31 deadline to file their responsive brief.

Good cause exists for the requested extension, as Defendants require additional time to prepare the responsive brief due to significant deadlines and events in other matters during the relevant time period. In particular, undersigned counsel, as well as supervising and reviewing counsel in this matter, are also working on summary-judgment briefing and hearing preparation in the case *Texas v. Department of Homeland Security*, a challenge to *Implementation of Keeping Families Together*, 89 Fed. Reg. 67459 (August 20, 2024). In that case, the court has ordered an expedited schedule under which the government filed its motion for summary judgment and trial

brief on October 18, its response to Plaintiffs' motion or a preliminary injunction and summary judgment brief is due on October 25, and its reply is due on October 30. *See Texas v. DHS*, No. 6:24-cv-00306, ECF No. 69 (E.D. Tex. Oct. 4, 2024). A hearing is scheduled for November 5, 2024. *Id.* In light of these and other significant deadlines, the complex and important nature of the issues raised in this case, and the need for review by multiple federal government agencies, Defendants require additional time to finalize and file their responsive supplemental brief.

Counsel for Defendants conferred with counsel for Plaintiffs via email, who stated that Plaintiffs do not oppose the requested extension. This request is made in good faith and not for purposes of delay. Plaintiffs will not be prejudiced by this brief extension, as there are currently no other deadlines in the case.

Defendants respectfully request that this Court extend the deadline to file their responsive supplemental brief in support of their Motion to Dismiss to **November 8, 2024**.

Dated: October 24, 2024

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